

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3827-01
Bill No.: HB 1542
Subject: Boards, Commissions, Committees, Councils; Crimes and Punishment
Type: Corrected#
Date: March 6, 2002
#Corrected to reflect administrative impact of bill as written.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue#	(\$178,370)	(\$48,370)	(\$24,522)
Total Estimated Net Effect on <u>All</u> State Funds#	(\$178,370)	(\$48,370)	(\$24,522)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator, Governor's Office, Missouri House of Representatives, Department of Corrections, and the Office of State Public Defender** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of Attorney General** and the **Missouri Senate** assume the costs of the proposed legislation could be absorbed within existing resources.

In response to a similar proposal from the 2001 session (HB 68), officials from the **Office of Administration - Division of Budget and Planning (OA)** assumed that general revenue will provide funding for the Commission. OA further assumed that the commission would be staffed by an Executive Director (\$51,252) and a Clerk IV (\$26,460) in addition to the necessary expense and equipment for each position. It was assumed that the nine members will meet in Jefferson City four times each during FY 2002 and FY 2003, and twice during FY 2004 which will add travel and hearing-related expenses. It was assumed that the commission will contract for a study to analyze data as outlined in the proposal. OA assumed the cost of the study will be similar to that incurred for the sentencing study, or about \$130,000.

Oversight assumes the Office of Administration will incur similar personnel, expense, and equipment costs for this proposal.

#Oversight assumes the Office of Administration will incur the cost of the sentencing study, public hearings, and the travel expenses for the commission.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
GENERAL REVENUE FUND			
<u>Costs – Office of Administration</u>			
Personal Service (2 FTE)#	\$0	\$0	\$0
Fringe Benefits#	\$0	\$0	\$0
Equipment and Expense#	<u>(\$178,370)</u>	<u>(\$48,370)</u>	<u>(\$24,522)</u>
Total Costs – Office of Administration#	<u>(\$178,370)</u>	<u>(\$48,370)</u>	<u>(\$24,522)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND#	<u>(\$178,370)</u>	<u>(\$48,370)</u>	<u>(\$24,522)</u>

FISCAL IMPACT - Local Government

FY 2003
(10 Mo.)

FY 2004

FY 2005

\$0

\$0

\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

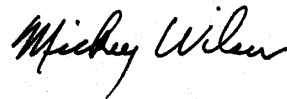
DESCRIPTION

The proposal would create a nine-member commission on the death penalty to study all aspects of the death penalty as administered in Missouri. The commission would hold public hearings and could review murder in the second degree and murder in the first degree cases committed on or after January 1, 1977. The commission would report findings and recommendations in a report to the Governor, the General Assembly, and the Missouri Supreme Court by January 1, 2005. The commission would recommend changes to the death penalty laws to ensure adequacy of trial and appellate counsel, actual guilt of the defendant, elimination of race disparity, fair court procedures, and that prosecuting attorneys utilize similar criteria throughout the state in determining whether to seek the death penalty.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space. This legislation would not affect Total State Revenue.

SOURCES OF INFORMATION

Missouri House of Representatives
Office of State Public Defender
Office of Attorney General
Office of State Courts Administrator
Missouri Senate
Department of Corrections
Governor's Office
Office of Administration
– Division of Budget and Planning



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